

REMARKS

In accordance with the foregoing, claims 1, 15, 18, 20, and 23 have been amended. Claims 1, 3-15, 18-23, and 26-28 are pending, with claims 1, 14, and 18 being independent. No new matter is presented in this Amendment.

Request for Personal Interview

MPEP 707.02 states as follows on MPEP page 700-115:

The supervisory patent examiners should impress their assistants with the fact that the shortest path to the final disposition of an application is by finding the best references on the first search and carefully applying them.

The supervisory patent examiners are expected to personally check on the pendency of every application which is up for the third or subsequent Office action with a view to finally concluding its prosecution.

Any application that has been pending five years should be carefully studied by the supervisory patent examiner and every effort should be made to terminate its prosecution. In order to accomplish this result, the application is to be considered "special" by the examiner.

The Office Action of January 5, 2009, is the fifth Office Action on the merits that has been issued in the present application. This does not count the two Advisory Actions of June 19, 2007, and June 13, 2008, and the Notice of Non-Compliant Amendment of September 18, 2008. Also, the present application was filed on March 10, 2004, and thus has been pending for more than five years as of the filing date of this Amendment. Accordingly, unless the Examiner decides to issue a Notice of Allowance in response to this Amendment, the applicants hereby request a personal interview with the Examiner, Miranda Le, and her supervisor, Supervisory Patent Examiner (SPE) James K. Trujillo, before the Examiner issues another Office Action in an effort to resolve all outstanding issues and place the application in condition for allowance.

Request for Clarification of Statement re Prior Art Made of Record and Not Relied Upon

On page 33 of the Office Action of January 5, 2009, the Examiner states as follows:

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

However, the only prior art made of record in the Office Action is Kanazawa et al. (Kanazawa) (U.S. Patent Application Publication No. 2003/0152366), which was relied on by the Examiner in the rejections of claims 1, 3-15, 18-23, and 26-28 under 35 USC 103(a) on pages 4-33 of the Office Action. Accordingly, in order to clarify the record, it is respectfully requested that in the next Office Action, the Examiner either identify the prior art that was supposed to have been made of record and not relied upon in the Office Action, or state that the Examiner's statement was made in error, and that no such prior art was intended to be cited in the Office Action.

Claim Amendments

Claims 1, 15, 18, 20, and 23 have been amended solely to correct typographical errors. Accordingly, it is submitted that the Examiner cannot make the next Office Action final if it includes any new ground of rejection of claims 1, 15, 18, 20, and 23 and claims 3-13, 19, 21, 22, 26, and 28 depending directly or indirectly from claims 1, 18, and 20.

Claim Objections

Claim 20 was objected to because "identified" should be "identifying," and claim 23 was objected to because "identifying" should be "identifying." Accordingly, claims 20 and 23 have been amended to make these changes.

For at least the foregoing reasons, it is respectfully requested that the objection to claims 20 and 23 be withdrawn.

Claim Rejections Under 35 USC 112

Claims 26-28 have been rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed.

The Examiner states as follows:

The claim(s) contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

With respect to claims 27-28, "the language information is not read from the startup file in the video mode" was not enabled in the specification.

With respect to claim 26, "the startup file and the language information are not read from the startup file in the video mode" was not enabled in the specification.

However, FIG. 11 of the present application shows an operation 1105 in which a startup file is read, and an operation 1106 in which language information is read from the startup file as described in paragraph [0055] of the specification of the present application. As shown in FIG. 11 and described in paragraph [0055], the operations 1105 and 1106 are performed in the interactive mode, but are not performed in the video mode. Accordingly, it is submitted that the features recited in claims 26-28 are in fact enabled at least by FIG. 11 and paragraph [0055] of the specification.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 26-28 under 35 USC 112, first paragraph, be withdrawn.

Claim Rejections Under 35 USC 101

Claims 1, 3-15, 18-23, and 26-28 have been rejected under 35 USC 101 as being directed to non-statutory subject matter. This rejection is respectfully traversed.

The Examiner states as follows:

In accordance with 35 USC § 101, a patentable process must (1) be tied to a particular apparatus or machine or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. See *In re Bilski*, 2007-1130 (Fed. Cir. 2008) *slip op* at 10-11 ("The Supreme Court, however, has enunciated a definitive test to determine whether a process claim is tailored narrowly enough to encompass only a particular application of a fundamental principle rather than to pre-empt the principle itself. A claimed process is surely patent-eligible under § 101 if: (1) it is tied to a particular machine or apparatus, or (2) it transforms a particular article into a different state or thing").

Independent claims 1, 14, 18 are not tied to a particular apparatus or machine because selecting an interactive mode do [sic] not necessarily involve the use of a computer or machine. One skilled in the art could interpret the steps of selecting..., reading..., determining... to be performed manually. In addition, claims 39, 72-76 do not transform the underlying subject matter (data) into a different state or thing. Thus, claims 1, 14, 18 are directed to a non-statutory process.

Claims 3-13, 15, 19-23, 26-28, are dependent upon claims 1, 14, 18, respectively, and do not add any limitations which correct the deficiencies of claims 1, 14, 18, and are therefore also similarly rejected.

The Examiner's reference to "claims 39, 72-76" in this explanation is not understood because there are no such claims pending in this application. It is presumed that the Examiner intended to state that "[i]n addition, claims 1, 14, 18 do not transform the underlying subject matter (data) into a different state or thing," and it is respectfully requested that the Examiner confirm this in the next Office Action.

In *Bilski*, the Court did not define the precise contours of the machine-implementation prong of the machine-or-transformation test, stating as follows at 88 USPQ2d 1396, slip op. at 24:

As to machine implementation, Applicants themselves admit that the language of claim 1 does not limit any process step to any specific machine or apparatus. See Appellants' Br. at 11. As a result, issues specific to the machine implementation part of the test are not before us today. We leave to future cases the elaboration of the precise contours of machine implementation, as well as the answers to particular questions, such as whether or when recitation of a computer suffices to tie a process claim to a particular machine.

Here, it is submitted that the Examiner's statement that "[i]ndependent claims 1, 14, and 18 are not tied to a particular apparatus or machine [because] [o]ne skilled in the art could interpret the steps of selecting..., reading..., determining... to be performed manually" is merely conclusory because the Examiner has not explained how these operations could be performed manually or provided any evidence showing that these steps could be performed manually, such that the Examiner has not established a *prima facie* case of nonstatutory subject matter under 35 USC 101 with respect to claims 1, 14, and 18 and claims 3-13, 15, 19-23, and 26-28 depending therefrom.

Furthermore, the Examiner has ignored the fact that claim 1 recites "[a] reproducing method of reproducing audio-video (AV) data using a reproducing apparatus" and claim 14 recites "[a] method of reproducing audio-video (AV) data and enhanced navigation (ENAV) data from an optical disk using a reproducing apparatus, and the bodies of claims 1 and 14 refer back to "the reproducing apparatus." Accordingly, it is submitted that claims 1 and 14 and claims 3-13, 15, 26, and 27 depending therefrom are in fact tied to a particular apparatus or machine, i.e., a reproducing apparatus.

Furthermore, the Examiner has ignored the following features recited in claim 1:

interpreting and executing the read portion of the interactive data to display the interactive picture, the interactive picture displaying the additional contents in the one natural language that is the same as the natural language identified by the player language information stored in the reproducing apparatus; and

reproducing the AV data to display the AV picture embedded in the interactive picture,

the following features recited in claim 14:

executing the read portion of the ENAV data to display the interactive picture; and

reproducing the AV data from the optical disk to display the AV picture embedded in the interactive picture,

and the following feature recited in claim 18:

interpreting and executing the read portion of the plurality of interactive data to display the interactive picture.

It is not seen how the above operations recited in claims 1, 14, and 18 could be performed manually. The Examiner has not even alleged that they could be performed manually.

For at least the foregoing reasons, it is submitted that claims 1, 14, and 18 and claims 3-13, 15, 19-23, and 26-28 depending therefrom satisfy the machine-implementation prong of the machine-or-transformation test articulated in Bilski, and are therefore directed to statutory subject matter under 35 USC 101.

Furthermore, the Examiner's statement that "[i]n addition, claims 39, 72-76 [*sic*; presumably intended to be claims 1, 14, 18] do not transform the underlying subject matter

(data) into a different state or thing" is merely conclusory because the Examiner has not provided any analysis of the language of claims 1, 14, and 18 to support her conclusion or provided any evidence to support her conclusion, such that the Examiner has not established a *prima facie* case of nonstatutory subject matter under 35 USC 101 with respect to claims 1, 14, and 18 and claims 3-13, 15, 19-23, and 26-28 depending therefrom.

Furthermore, it is submitted that the "interpreting and executing" operation recited in claim 1 transforms "the read portion of the interactive data" into "the interactive picture;" the "reproducing" operation recited in claim 1 transforms "the AV data" into "the AV picture;" the "executing" operation recited in claim 14 transforms "the read portion of the ENAV data" into "the interactive picture;" the "reproducing" operation recited in claim 14 transforms "the AV data from the optical disk" into "the AV picture;" and the "interpreting and executing" operation recited in claim 18 transforms "the read portion of the plurality of interactive data" into "the interactive picture."

For at least the foregoing reasons, it is submitted that claims 1, 14, and 18 and claims 3-13, 15, 19-23, and 26-28 depending therefrom satisfy the transformation prong of the machine-or-transformation test articulated in *Iliski*, and are therefore directed to statutory subject matter under 35 USC 101.

Furthermore, it is submitted that the Examiner's statement that "[c]laims 3-13, 15, 19-23, 26-28, . . . do not add any limitations which correct the deficiencies of claims 1, 14, 18, and are therefore also similarly rejected" is merely conclusory because the Examiner has not provided any analysis of the language of claims 3-13, 15, 19-23, and 26-28 to support her conclusion or provided any evidence to support her conclusion, such that the Examiner has not established a *prima facie* case of nonstatutory subject matter under 35 USC 101 with respect to claims 3-13, 15, 19-23, and 26-28.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1, 3-15, 18-23, and 26-28 under 35 USC 101 as being directed to non-statutory subject matter under 35 USC 101 be withdrawn.

Claim Rejections Under 35 USC 103

Rejection 1

Claims 1, 3-12, 14, 15, 18-23, and 26-28 have been rejected under 35 USC 103(a) as being unpatentable over Kanazawa et al. (Kanazawa) (U.S. Patent Application Publication No. 2003/0152366) in view of Tsumagari et al. (Tsumagari) (U.S. Patent Application Publication No. 2003/0161615). This rejection is respectfully traversed.

Although the Examiner included Kou (U.S. Patent No. 6,661,466) in the statement of the rejection of claims 1, 3-12, 14, 15, 18-23, and 26-28 on page 5 of the Office Action of January 5, 2009, the Examiner did not actually rely on Kou in the explanation of this rejection on pages 5-32 of the Office Action. The Examiner relied on Kou only in the explanation of the rejection of claim 13 under 35 USC 103(a) as being unpatentable over Kanazawa in view of Tsumagari and Kou on pages 32 and 33 of the Office Action. Accordingly, it appears that Kou was included in the statement of the rejection of claims 1, 3-12, 14, 15, 18-23, and 26-28 by mistake, and that the Examiner has actually rejected claims 1, 3-12, 14, 15, 18-23, and 26-28 under 35 USC 103(a) as being unpatentable over Kanazawa in view of Tsumagari. It is respectfully requested that the Examiner confirm this in the next Office Action.

The Examiner has relied on specific interpretations of Kanazawa and Tsumagari in explaining the rejection of 1, 3-12, 14, 15, 18-23, and 26-28 under 35 USC 103(a) as being unpatentable over Kanazawa in view of Tsumagari, and the applicants will respond to this rejection based on the Examiner's specific interpretations of these references. However, should the Examiner change her position in response to the applicants' arguments and repeat the rejection in the next Office Action based on different interpretations of these references, it is submitted that the Examiner cannot make the next Office Action final because such a rejection will in effect be a new ground of rejection that was not necessitated by the applicants' amendment of claims 1, 3-12, 14, 15, 18-23, and 26-28. Making such an Office Action final would improperly deprive the applicants of the opportunity to respond to respond to the new ground of rejection based on the different interpretations of Kanazawa and Tsumagari in a response to a non-final Office Action.

Claim 1

It is submitted that Kanazawa and Tsumagari do not disclose or suggest the following features of independent claim 1:

1. A reproducing method of reproducing audio-video (AV) data using a reproducing apparatus, the method comprising:
 - selecting an interactive mode of the reproducing apparatus in which the reproducing apparatus reproduces the AV data to display an AV picture, and reproduces interactive data to display an interactive picture in which the AV picture is embedded, the interactive data comprising additional contents in a plurality of different natural languages, the reproducing apparatus also being operable in a video mode in which the reproducing apparatus reproduces the AV data to display the AV picture without reproducing the interactive data;
 - reading a startup file of the interactive data, the startup file comprising language information identifying the plurality of different natural languages of the additional contents of the interactive data;
 - reading the language information from the startup file;
 - determining which one of the plurality of different natural languages identified by the read language information is the same as a natural language identified by player language information stored in the reproducing apparatus;
 - reading a portion of the interactive data comprising additional contents in the one natural language that is the same as the natural language identified by the player language information stored in the reproducing apparatus;
 - interpreting and executing the read portion of the interactive data to display the interactive picture, the interactive picture displaying the additional contents in the one natural language that is the same as the natural language identified by the player language information stored in the reproducing apparatus; and
 - reproducing the AV data to display the AV picture embedded in the interactive picture.

Thus, claim 1 is replete with references to "different natural languages," "one natural language," and "language information." The Examiner considers Kanazawa to disclose all of the features recited in claim 1, including the language features, except as follows:

The attribute information ([0103]) of Kanazawa implies the claimed limitation "language information" as in [0172] (*i.e. For*

example, for ID=TOKYO001, "http://.../tos0001.htm" has been registered as the URL for the HTML contents corresponding to the scene presently being reproduced. The number of HTML contents related to scenes to be reproduced is set at 3. Furthermore, "http://.../tos0002.htm", "http://.../tos0003.htm", "http://.../tos0004.htm" have been registered as the URLs for the HTML contents, respectively).

However, Tsumagari specifically teaches this limitation (i.e. Video player 100, and converts the contents of the interpreted DVD status signal into a corresponding property signal specified in ENAV contents 30 (30W) (e.g., converts a DVD status signal which indicates that the current audio language is Japanese into a property signal that designates Japanese as a language used by ENAV), [0112].

It should be noted that the interactive information of Kanazawa would be audio information (i.e. information relevant to audio information, Kanazawa, [0104]), therefore, the ID as attribute information of Kanazawa would be able to modify [sic] to include the audio language information (i.e. that the current audio language is Japanese, [0122] [sic; apparently should be [0112], see [0112] in the above paragraph], Tsumagari) according to the teaching of Tsumagari by one of ordinary skill in the art.

It would have been obvious to one ordinary skill in the art having the teaching of Kanazawa, and Tsumagari at the time the invention was made to modify the attribute information of Kanazawa to include the language information as taught by Tsumagari. One of ordinary skill in the art would be motivated to make this combination in order to allow a user to play back the contents (movie or music) of each VTS by a method different from VMG/VTSI prepared by the provider in view of Tsumagari ([0064]), as doing so would give the added benefit of providing an enhanced navigation system that uses a digital information medium complying with the DVD-Video standard as taught by Tsumagari ([0003]).

However, the word "language" does not appear in Kanazawa, and no specific language, such as English, Japanese, Korean, French, German, Italian, Spanish, Portuguese, or Arabic, is mentioned in Kanazawa. Accordingly, it is submitted that there is no basis whatsoever in Kanazawa for the Examiner's allegation that "[t]he attribute information ([0103]) of Kanazawa implies the claimed limitation 'language information.'"

Paragraph [0103] of Kanazawa relied on by the Examiner states as follows (emphasis added):

[0103] In addition to the parental information of the embodiment and the telephone number information of the modification, the present invention may be applied to limited access information used as the attribute information about the system. The limited access information is used to limit the accessing time or period.

This paragraph of Kanazawa relates to paragraph [0069] of Kanazawa, which states as follows (emphasis added):

[0069] Furthermore, as shown in FIG. 4, the access information 30 is defined on the basis of parental information related to a parental function in system attribute information set in the reproducing system. Specifically, the information management table 40b has an attached table 40c for defining the access information 30 on the basis of the parental information and is designed to select link information (URL display related information) on the basis of the parental information and connect the system to the optimum Web server.

Thus, paragraphs [0069] and [0103] of Kanazawa disclose system attribute information set in Kanazawa's reproducing system that may include parental information, telephone number information, accessing time information, and accessing period information that may be used to determine which Web pages to retrieve as shown in FIGS. 9 and 15 of Kanazawa.

The DVD status signal referred to in paragraph [0112] of Tsumagari relied on by the Examiner is described in paragraph [0091], which states as follows (emphasis added):

[0091] In addition, DVD-Video playback controller 220 can control playback of DVD-Video contents 10 in accordance with a "DVD control signal" output from ENAV engine 300. More specifically, when a given event (e.g., menu call or title jump) has occurred during DVD-Video playback, DVD-Video playback controller 220 can output a "DVD event signal" indicating the playback condition of DVD-Video contents 10 to ENAV engine 300. In this case (simultaneously with output of the DVD event signal or an appropriate timing before or after that output timing), DVD-Video playback controller 220 can output a "DVD status signal" indicating property information (e.g., an audio language, sub-picture caption language, playback operation, playback position information, time information, the contents of disc 1, and the like set in player 100) of DVD-Video player 100 to ENAV engine 300.

Thus, Tsumagari's DVD status signal indicates, *inter alia*, an audio language set in the DVD-Video player 100 shown in FIG. 1 of Tsumagari, which apparently indicates a current audio

language, such as Japanese, as described in paragraph [0112] of Tsumagari relied on by the Examiner, which states as follows (emphasis added):

[0112] <C> Processor 320 interprets the contents (indicating the current audio language, if the disc playback operation is now being done, and so forth) of a "DVD status signal" which is sent from DVD-Video playback engine 200 and indicates the property of DVD-Video player 100, and converts the contents of the interpreted DVD status signal into a corresponding property signal specified in ENAV contents 30 (30W) (e.g., converts a DVD status signal which indicates that the current audio language is Japanese into a property signal that designates Japanese as a language used by ENAV).

Accordingly, it appears that the Examiner's position is that it would have been obvious to modify the system attribute information set in Kanazawa's reproducing system disclosed in paragraph [0069] of Kanazawa to include a current audio language as described in paragraphs [0091] and [0112] of Tsumagari.

Although the applicants do not concede that it would have been obvious to make this modification in light of the complete lack of anything whatsoever relating to "language" in Kanazawa, it will be presumed for the purposes of this discussion only that the Examiner has arguably shown that the combination of Kanazawa and Tsumagari proposed by the Examiner arguably provides "player language information stored in the reproducing apparatus" as recited in claim 1.

However, it is submitted Kanazawa and Tsumagari do not disclose or suggest "interactive data comprising additional contents in a plurality of different natural languages" as recited in claim 1. The Examiner considers the "interactive data comprising additional contents" recited in claim 1 to be disclosed in paragraph [0172] of Kanazawa, which states as follows:

[0172] For example, for ID=TOKYO001, "http://.../tos0001.htm" has been registered as the URL for the HTML contents corresponding to the scene presently being reproduced. The number of HTML contents related to scenes to be reproduced is set at 3. Furthermore, "http://.../tos0002.htm", "http://.../tos0003.htm", "http://.../tos0004.htm" have been registered as the URLs for the HTML contents, respectively.

As apparently recognized by the Examiner, nothing whatsoever in this paragraph of Kanazawa indicates that the HTML contents referred to in this paragraph are "in a plurality of

different languages" as recited in claim 1. However, the Examiner considers this feature of claim 1 to be disclosed in paragraph [0009] of Kanazawa, which states as follows:

[0009] Another object of the present invention is to provide a reproducing system capable of acquiring the optimum related information that meets specific conditions, including the attributes of the system, when the related information is acquired from resources on a computer network.

However, it is not seen how this paragraph of Kanazawa can reasonably be considered to disclose that the HTML contents referred to in paragraph [0172] of Kanazawa are "in a plurality of languages" as recited in claim 1. Furthermore, the Examiner has not explained why she considers this paragraph of Kanazawa to disclose this feature of claim 1, such that the Examiner has not established a *prima facie* case of obviousness with respect to claim 1.

Furthermore, it is submitted that Kanazawa and Tsumagari do not disclose or suggest "reading a startup file of the interactive data, the startup file comprising language information identifying the plurality of different natural languages of the additional contents of the interactive data" as recited in claim 1.

The Examiner considers the "startup file" recited in claim 1 to be disclosed in paragraph [0112] of Kanazawa, which states as follows (emphasis added):

[0112] In the DVD medium, not only navigation data constituting a DVD video title and presentation data 302 but also a HTML file for interlocking display with a DVD video are stored. The HTML file is used as an initial screen to explain, for example, the contents of the DVD video title and is downloaded onto the memory of the image display apparatus.

Thus, the Examiner apparently considers Kanazawa's HTML file that is used as an initial screen to explain, for example, the contents of the DVD video title to be a "startup file" as recited in claim 1. This HTML file is apparently the HTML file that is stored the DVD medium with the navigation data 301 and the presentation data 302 as shown in FIG. 16 of Kanazawa, and is stored in the "HTM FILE" area of the volume space of the DVD medium as shown in FIG. 18 of Kanazawa and described in paragraph [0127] of Kanazawa, which states as follows:

[0127] As shown in FIG. 18, the volume space of a DVD-ROM medium is composed of a volume film structure for managing volumes and files, a DVD video zone constituting DVD video information, and an area for files other than DVD video. In the

other files area, HTML files, such as the initial screen file, have been stored.

However, paragraphs [0112] and [0127] of Kanazawa appear to be the only portions of Kanazawa that mention the HTML file that is used as an initial screen. It is not seen where Kanazawa discloses anything whatsoever about the contents of the HTML file that is used as an initial screen. Accordingly, it is submitted that nothing whatsoever in Kanazawa discloses or suggests the feature "the startup file comprising language information identifying the plurality of different natural languages of the additional contents of the interactive data" recited in claim 1.

However, the Examiner apparently considers this feature to be disclosed in paragraph [0066] of Kanazawa, which states as follows:

[0066] The pieces of identification information. [sic] ST-1 to ST-n include not only information to identify a stream on the basis of the DVD standard, including a program chain number (a logic unit for reproducing all or part of a title), a video title number, a cell number, and a chapter number, but also information on information notice time (hereinafter, referred to as time information) related to the first embodiment and coordinate information. The time information is used for display control (the start and end of display) of a Web mark (specific input information) indicating that resources are available in a specific piece of the stream information (scene) in the stream (in the first embodiment, Web page, can be displayed), as explained later. When Web pages can be displayed for all of the stream (or when Web pages can be accessed for all of the stream), the time information is unnecessary.

However, it is submitted that nothing whatsoever in this paragraph of Kanazawa can reasonably be considered to disclose "language information identifying the plurality of different natural languages of the additional contents of the interactive data" as recited in claim 1. Furthermore, the Examiner has not explained why she considers this paragraph of Kanazawa to disclose this feature of claim 1, such that the Examiner has not established a *prima facie* case of obviousness with respect to claim 1.

Furthermore, as described in paragraph [0065] of Kanazawa, the pieces of identification information ST-1 to ST-n referred to in paragraph [0066] of Kanazawa quoted above are part of the information management table 40b shown in FIG. 3 of Kanazawa, which is stored on the DVD 40 shown in FIG. 2 of Kanazawa as described in paragraph [0064] of Kanazawa. However, it is submitted that nothing whatsoever in Kanazawa discloses or suggests that the information

management table 40b is part of the HTML file that is used as an initial screen referred to in paragraphs [0112] and [0127] of Kanazawa that the Examiner considers to be "a startup file" as recited in claim 1.

Accordingly, for at least the foregoing reasons, it is submitted that Kanazawa and Tsumagari do not disclose or suggest the following features of claim 1:

1. A reproducing method of reproducing audio-video (AV) data using a reproducing apparatus, the method comprising:
 - selecting an interactive mode of the reproducing apparatus in which the reproducing apparatus reproduces the AV data to display an AV picture, and reproduces interactive data to display an interactive picture in which the AV picture is embedded, the interactive data comprising additional contents in a plurality of different natural languages, the reproducing apparatus also being operable in a video mode in which the reproducing apparatus reproduces the AV data to display the AV picture without reproducing the interactive data;
 - reading a startup file of the interactive data, the startup file comprising language information identifying the plurality of different natural languages of the additional contents of the interactive data;
 - reading the language information from the startup file;
 - determining which one of the plurality of different natural languages identified by the read language information is the same as a natural language identified by player language information stored in the reproducing apparatus;
 - reading a portion of the interactive data comprising additional contents in the one natural language that is the same as the natural language identified by the player language information stored in the reproducing apparatus;
 - interpreting and executing the read portion of the interactive data to display the interactive picture, the interactive picture displaying the additional contents in the one natural language that is the same as the natural language identified by the player language information stored in the reproducing apparatus; and
 - reproducing the AV data to display the AV picture embedded in the interactive picture.

Claims 14 and 18

The four paragraphs of the Examiner's explanations of the rejections of claims 14 and 18 in which the Examiner explains why it allegedly would have been obvious to combine Kanazawa and Tsumagari are identical to the four paragraphs of the Examiner's explanation of the rejection of claim 1 in which the Examiner explains why it allegedly would have been obvious to combine Kanazawa and Tsumagari. Accordingly, it is submitted that Kanazawa and Tsumagari do not disclose or suggest the following features of independent claim 14:

14. A method of reproducing audio-video (AV) data and enhanced navigation (ENAV) data from an optical disk using a reproducing apparatus, the method comprising:

selecting an interactive mode from a plurality of modes comprising the interactive mode and a video mode, the interactive mode being a mode in which the AV data is reproduced to display an AV picture and the ENAV data is reproduced to display an interactive picture in which the AV picture is embedded, and the video mode being a mode in which the AV data is reproduced to display the AV picture and the ENAV data is not reproduced;

reading language information from a startup file of the ENAV data on the optical disk, the language information identifying a plurality of different natural languages used in the ENAV data;

determining which one of the plurality of different natural languages identified by the read language information is the same as a natural language identified by player language information stored in the reproducing apparatus;

reading a portion of the ENAV data based on a result of the determining, the read portion of the ENAV data being in the one natural language that is the same as the natural language identified by the player language information stored in the reproducing apparatus;

executing the read portion of the ENAV data to display the interactive picture; and

reproducing the AV data from the optical disk to display the AV picture embedded in the interactive picture,

or the following features of independent claim 18:

18. A method of reproducing audio-video (AV) data in an interactive mode supported by interactive data associated with the AV data, the method comprising:

selecting an interactive mode from a plurality of modes comprising the interactive mode and a video mode, the interactive mode being a mode in which the AV data is reproduced to display an AV picture and the interactive data is reproduced to display an interactive picture in which the AV picture is embedded, and the video mode being a mode in which the AV data is reproduced to display the AV picture and the interactive data is not reproduced;

reading language information from a startup file of the interactive data, the language information identifying a plurality of different natural languages used in the interactive data;

reading a portion of the interactive data that is in one of the plurality of different natural languages identified by the read language information that is the same as a predetermined natural language; and

interpreting and executing the read portion of the interactive data to display the interactive picture,

for at least the same reasons discussed above that Kanazawa and Tsumagari do not disclose or suggest the same or similar features of claim 1.

Claims 2-6, 8-12, 15, 20, and 23

The Examiner considers Kanazawa to disclose all of the features of dependent claims 2-6, 8-12, 15, 20, 23, and 26-28. The Examiner has not relied on Tsumagari to show any of the features recited in these claims. However, all of these claims recite "language" features, and it is submitted that Kanazawa does not disclose or suggest these "language" features because, as discussed above in connection with claim 1, the word "language" does not appear in Kanazawa, and no specific language, such as English, Japanese, Korean, French, German, Italian, Spanish, Portuguese, or Arabic, is mentioned in Kanazawa.

Conclusion—Rejection 1

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1, 3-12, 14, 15, 18-23, and 26-28 (i.e., claims 1, 3-6, 8-12, 14, 15, 18, 20, 23, and 26-28 discussed above and claims 7, 19, 21, and 22 depending directly or indirectly from claims 1 and 18) under 35 USC 103(a) as being unpatentable over Kanazawa in view of Tsumagari be withdrawn.

Rejection 2

Claim 13 has been rejected under 35 USC 103(a) as being unpatentable over Kanazawa in view of Tsumagari and Kou (U.S. Patent No. 6,661,466). This rejection is respectfully traversed.

Although the propriety of this rejection is not conceded, it is submitted that claim 13 is patentable over Kanazawa, Tsumagari, and Kou for at least the same reasons discussed above that claims 1 and 3 from which claim 13 directly or indirectly depends are patentable over Kanazawa and Tsumagari.

For at least the foregoing reasons, it is respectfully requested that the rejection of claim 13 under 35 USC 103(a) as being unpatentable over Kanazawa in view of Tsumagari and Kou be withdrawn.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

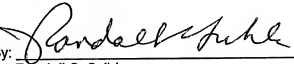
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with the filing of this paper, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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Date: 04/06/09

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